

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROY DEN HOLLANDER,

Plaintiff on behalf of himself
And all others similarly situated,

Case No. 07 CV 5873 (MGC)

-against-

**PROPOSED CASE
MANAGEMENT PLAN
SUBMITTED BY
DEFENDANT LOTUS**

COPACABANA NIGHTCLUB, CHINA CLUB, GUEST
HOUSE, A.E.R. NIGHTCLUB, LOTUS, SOL, AND
JANE DOE PROMOTERS,

Defendants.

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Based on Lotus' participation in the Rule 26(f) conference, held September 19, 2007,
the following proposed case Schedule and Discovery Plan resulted.

Proposed Schedule

Joinder of additional parties by: Plaintiff requests two weeks after the completion of depositions.

Lotus objects to that timing on the grounds that, pursuant to Plaintiff's proposal, there will be no opportunity for Lotus or other Defendants to take the deposition of additional parties. Lotus proposes February 11, 2007.

Amendment of pleadings by: In his written submission, Plaintiff requests adherence to Rule 15, but during the conference, Plaintiff said that he wanted to amend the pleadings after the completion of discovery.

Lotus requests the 20 days allowed by Federal Rule of Civil Procedure 15(a) to enable them to obtain discovery on any newly added claims.

Class certification motion, assuming there is no discovery on the class issues, by:

Plaintiff requests November 15, 2007,

Defendants will present their position at the October 16th conference.

All motions other than summary judgment by: May 2, 2008.

In accordance with Judge Cedarbaum's rules, **all trial witnesses, including experts**, to be disclosed 15 days prior to the end of discovery.

All discovery to be completed by: April 11, 2008.

Joint Pretrial Order to be submitted by: 60 days before Trial.

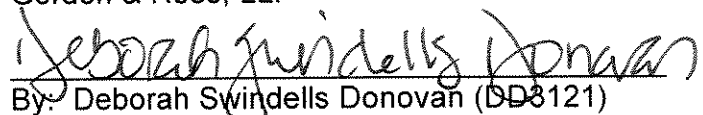
Final Pretrial Conference: 14 days before Trial.

Trial: October 2008

Plaintiff also submitted what appeared to be a Joint Pretrial Order. Lotus respectfully suggests that such a plan is premature and should be disclosed in accordance with the above schedule, namely, sixty days before trial.

Dated: October 1, 2007
New York, New York

Respectfully submitted,
Gordon & Rees, LLP


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